

UNITED STATES DISTRICT COURT

for the
District of ArizonaDMA
10/18/17
United States of America)

v.)

Jose Alfredo Arce Mesa,)
a.k.a.: Jose Alfredo Arce-Mesa,)
a.k.a.: Jose Arce,)
(A087 762 265))Defendant

Case No. 17-7525 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of May 16, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Jose Alfredo Arce Mesa, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Brownsville, Texas, on or about April 9, 2013, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference HereinCER
REVIEWED BY: Charles E. Bailey, P.S. for AUSA Brandon Brown☒ Continued on the attached sheet.
Complainant's signatureDarrin J. McNeill,
Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: October 20, 2017
Judge's signatureCity and state: Phoenix, ArizonaBridget S. Bade,
United States Magistrate Judge
Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Darrin J. McNeill, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On May 16, 2017, Jose Alfredo Arce Mesa was arrested by the Phoenix Police Department and booked into the Maricopa County Jail (MCJ) on local charges. While incarcerated at the MCJ, Arce Mesa was examined by ICE Officer B. Hall who determined Arce Mesa to be a citizen of Mexico, illegally present in the United States. On the same date, an immigration detainer was lodged with the county jail. On October 18, 2017, Arce Mesa was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Arce Mesa was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Jose Alfredo Arce Mesa to be a citizen of Mexico and a previously deported alien. Arce Mesa was removed from the United States to Mexico through Brownsville, Texas, on or about April 9, 2013, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Arce Mesa in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland

Security to return to the United States after his removal. Arce Mesa's immigration history was matched to him by electronic fingerprint comparison.

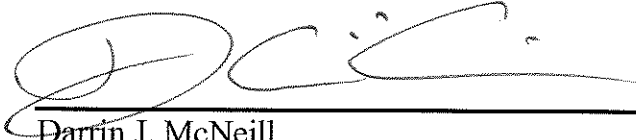
4. On October 18, 2017, Jose Alfredo Arce Mesa was advised of his constitutional rights. Arce Mesa freely and willingly agreed to provide a statement under oath. Arce Mesa stated that his true and complete name is Jose Alfredo Arce Mesa and that he is a citizen of Mexico. Arce Mesa stated that he illegally entered the United States in 2015, through Nogales. Arce Mesa further stated that he had been removed from the United States to Mexico and did not receive permission from the Secretary of the Department of Homeland Security to re-enter the United States after his removal.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about May 16, 2017, Jose Alfredo Arce Mesa, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously

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denied admission, excluded, deported, and removed from the United States at or near Brownsville, Texas, on or about April 9, 2013, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

A handwritten signature in black ink, appearing to read 'D. McNeill', written over a horizontal line.

Darrin J. McNeill,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 20th day of October, 2017.

A handwritten signature in black ink, appearing to read 'Bridget S. Bade', written over a horizontal line.

Bridget S. Bade,
United States Magistrate Judge